

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GREE, INC.,

Plaintiff,

v.

SUPERCELL OY,

Defendant.

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Case No. 2:19-cv-00070-JRG-RSP


ORDER

Defendant Supercell Oy previously filed a Motion for Summary Judgment of No Infringement of U.S. Patent Nos. 9,604,137 and 9,956,481. (Dkt. No. 200.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 355), recommending denial of Defendant's Motion for Summary Judgment. Plaintiff and Defendant have filed Objections to the Report and Recommendation (Dkt. Nos. 375, 379/395, respectively) and Responses (Dkt. Nos. 410, 415, respectively).

After reviewing the briefing on the Motion for Summary Judgment *de novo*, the Report and Recommendation, and the briefing on Plaintiff's and Defendant's Objections, the Court agrees with the reasoning provided within the Report and Recommendation.

Consequently, the Court **OVERRULES** Plaintiff's Objections (Dkt. No. 375), **OVERRULES** Defendant's Objections (Dkt. No. 379; Dkt. No. 395) and **ADOPTS** Judge Payne's Report and Recommendation (Dkt. No. 355). Furthermore, the Court finds Defendant's Motion to Strike Dr. Akl's Declaration (Dkt. No. 285) **MOOT**.

So ORDERED and SIGNED this 9th day of September, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE